



(111)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-32436-2024 (O&M)Date of decision:- 09.01.2025

Bhuvan Goel

...Petitioner(s)

Versus

Punjab and Haryana High Court, Sector-1, Chandigarh through its
Registrar and another.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUDHIR SINGH

Present:- Mr. Nayandeep Rana, Advocate,
for the petitioner.

Mr. Sanjeev Sharma, Senior Advocate,
with Ms. Shubreet Kaur Saron, Advocate,
for respondent No. 1 - High Court.

Mr. Balvinder Sangwan, Advocate,
for respondent No. 2 - HPSC.

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SHEEL NAGU, C.J. (ORAL)

1. The petitioner, who is an aspirant for appointment as Civil Judge (Entry Level) having applied pursuant to Advertisement No. 1/2024 dated 01.01.2024 (Annexure P-1) issued by the Haryana Public Service Commission, is aggrieved that despite having secured 513.50 marks out of 900 marks in the written (main) examination, petitioner was awarded marks, but could secure as low as 29.75 marks out of 200 marks in viva-voce.

2. The ground that has been taken in support of non-appointment is that, petitioner despite doing his best in the interview could not succeed.

3. Learned counsel for the petitioner has placed reliance on a decision of the Constitution Bench of Apex Court in *Ajay Hasia and others Vs Khalid Mujib Sehravardi and others*, (1981) 1 Supreme Court Cases 722



(Annexure P-4). The relevant paragraphs 17, 18, 19 and 20 of the said decision are reproduced as under:-

“18. The second ground of challenge questioned the validity of viva voce examination as a permissible test for selection of candidates for admissions to a college. The contention of the petitioners under this ground of challenge was that viva voce examination does not afford a proper criterion for assessment of the suitability of the candidates for admission and it is a highly subjective and impressionistic test where the result is likely to be influenced by many uncertain and imponderable factors such as predilections and prejudices of the interviewer, his attitudes and approaches, his preconceived notions and idiosyncrasies and it is also capable of abuse because it leaves scope for discrimination, manipulation and nepotism which can remain undetected under the cover of an interview and moreover it is not possible to assess the capacity and calibre of a candidate in the course of an interview lasting only for a few minutes and, therefore, selections made on the basis of oral interview must be regarded as arbitrary and hence violative of Article 14. Now this criticism cannot be said to be wholly unfounded and it reflects a point of view which has certainly some validity. We may quote the following passage from the book on Public Administration in Theory and Practice by M.P. Sharma which voices a far and balanced criticism of the oral interview method:

“The oral test or the interview has been much criticised on the ground of its subjectivity and uncertainty. Different interviewers have their own notions of good personality. For some, it consists more in attractive physical appearance and dress rather than anything else, and with them the breezy and shiny type of candidate scores highly while the rough uncut diamonds may go unappreciated. The atmosphere of the interview is artificial and prevents some candidates from appearing at their best. Its duration is short, the few questions of the hit-or-miss type, which are put, may fail to reveal the real worth of the candidate. It has been said that God takes a whole lifetime to judge a man's worth while interviewers have to do it in a quarter of an hour. Even at its best, the common sort of interview reveals but the superficial aspects of the candidate's personality like appearance, speaking power, and general address. Deeper traits of leadership, tact, forcefulness, etc. go largely undetected. The interview is often in the nature of desultory conversation. Marking differs greatly from examiner to examiner. An analysis of the interview results show that the marks awarded to candidates who competed more than once for the same service vary surprisingly. All this shows that there is a great element of chance in the interview test. This becomes a serious matter when the marks assigned to oral test constitute a high proportion of the total marks in the competition.”

Ol Glenn Stahl points out in his book on Public Personnel Administration that there are three disadvantages from which the oral test method suffers, namely, “(1) the difficulty of developing valid and reliable oral tests; (2) the difficulty of securing a reviewable record on an oral test; and (3) public suspicion of the oral test as a channel for the exertion of political influence” and we may add, other corrupt,



nepotistic or extraneous considerations. The learned author then proceeds to add in a highly perceptive and critical passage:

“The oral examination has failed in the past in direct proportion to the extent of its misuse. It is a delicate instrument and, in inexperienced hands, a dangerous one. The first condition of its successful use is the full recognition of its limitations. One of the most prolific sources of error in the oral test has been the failure on the part of examiners to understand the nature of evidence and to discriminate between that which was relevant, material and reliable and that which was not. It also must be remembered that the best oral interview provides opportunity for analysis of only a very small part of a person's total behaviour. Generalizations from a single interview regarding an individual's total personality pattern have been proved repeatedly to be wrong.”

But, despite all this criticism, the oral interview method continues to be very much in vogue as a supplementary test for assessing the suitability of candidates wherever test of personal traits is considered essential. Its relevance as a test for determining suitability based on personal characteristics has been recognised in a number of decisions of this Court which are binding upon us. In the first case on the point which came before this Court, namely, R. Chitralkha v. State of Mysore [AIR 1964 SC 1823 : (1964) 6 SCR 368] this Court pointed out—

“In the field of education there are divergent views as regards the mode of testing the capacity and calibre of students in the matter of admissions to colleges. Orthodox educationists stand by the marks obtained by a student in the annual examination. The modern trend of opinion insists upon other additional tests, such as interview, performance in extracurricular activities, personality test, psychiatric tests etc. Obviously we are not in a position to judge which method is preferable or which test is the correct one.... The scheme of selection, however, perfect it may be on paper, may be abused in practice. That it is capable of abuse is not a ground for quashing it. So long as the order lays down relevant objective criteria and entrusts the business of selection to qualified persons, this Court cannot obviously have any say in the matter.”

and on this view refused to hold the oral interview test as irrelevant or arbitrary. It was also pointed out by this Court in A. Peeriakaruppan v. State of Tamil Nadu [(1971) 1 SCC 38 : (1971) 2 SCR 430] (SCC p. 44, para 13): “In most cases, the first impression need not necessarily be the best impression. But under the existing conditions, we are unable to accede to the contentions of the petitioners that the system of interview as in vogue in this country is so defective as to make it useless.” It is therefore not possible to accept the contentions of the petitioners that the oral interview test is so defective that selecting candidates for admission on the basis of oral interview in addition to written test must be regarded as arbitrary. The oral interview test is undoubtedly not a very satisfactory test for assessing and evaluating the capacity and calibre of candidates, but in the absence of any better test for measuring personal characteristics and traits, the oral interview test must, at the present stage, be regarded as not irrational or irrelevant though it is subjective and



based on first impression, its result is influenced by many uncertain factors and it is capable of abuse. We would, however, like to point out that in the matter of admission to college or even in the matter of public employment, the oral interview test as presently held should not be relied upon as an exclusive test, but it may be resorted to only as an additional or supplementary test and, moreover, great care must be taken to see that persons who are appointed to conduct the oral interview test are men of high integrity, calibre and qualification.

19. So far as the third ground of challenge is concerned, we do not think it can be dismissed as unsubstantial. The argument of the petitioners under this head of challenge was that even if oral interview may be regarded in principle as a valid test for selection of candidates for admission to a college, it was in the present case arbitrary and unreasonable since the marks allocated for the oral interview were very much on the higher side as compared with the marks allocated for the written test. The marks allocated for the oral interview were 50 as against 100 allocated for the written test, so that the marks allocated for the oral interview came to 33 1/3 per cent of the total number of marks taken into account for the purpose of making the selection. This, contended the petitioners, was beyond all reasonable proportion and rendered the selection of the candidates arbitrary and viola-live of the equality clause of the Constitution. Now there can be no doubt that, having regard to the drawbacks and deficiencies in the oral interview test and the conditions prevailing in the country, particularly when there is deterioration in moral values and corruption and nepotism are very much on the increase, allocation of a high percentage of marks for the oral interview as compared to the marks allocated for the written test, cannot be accepted by the court as free from the vice of arbitrariness. It may be pointed out that even in *Peeriakaruppan case [(1971) 1 SCC 38 : (1971) 2 SCR 430]*, where 75 marks out of a total of 275 marks were allocated for the oral interview, this Court observed that the marks allocated for interview were on the high side. This Court also observed in *Nishi Maghu case [(1980) 4 SCC 95]* : “Reserving 50 marks for interview out of a total of 150... does seem excessive, especially when the time spent was not more than 4 minutes on each candidate.” There can be no doubt that allocating 33 1/3 per cent of the total marks for oral interview is plainly arbitrary and unreasonable. It is significant to note that even for selection of candidates for the Indian Administrative Service, the Indian Foreign Service and the Indian Police Service, where the personality of the candidate and his personal characteristics and traits are extremely relevant for the purpose of selection, the marks allocated for oral interview are 250 as against 1800 marks for the written examination, constituting only 12.2 per cent of the total marks taken into consideration for the purpose of making the selection. We must, therefore, regard the allocation of as high a percentage as 33 1/3 of the total marks for the oral interview as, infecting the admission procedure with the vice of arbitrariness and selection of candidates made on the basis of such admission procedure cannot be sustained. But we do not think we would be justified in the exercise of our discretion in setting aside the selections made for the academic year 1979-80 after the lapse of a period of about 18 months, since to do so would be to cause immense hardship to those students in whose case the validity of the selection cannot otherwise be questioned and who have nearly completed three semesters and, moreover, even if the



petitioners are ultimately found to be deserving of selection on the application of the proper test, it would not be possible to restore them to the position as if they were admitted for the academic year 1979-80, which has run out long since. It is true there is an allegation of mala fides against the Committee which interviewed the candidates and we may concede that if this allegation were established, we might have been inclined to interfere with the selections even after the lapse of a period of 18 months, because the writ petitions were filed as early as October-November 1979 and merely because the court could not take up the hearing of the writ petitions for such a long time should be no ground for denying relief to the petitioners, if they are otherwise so entitled. But we do not think that on the material placed before us we can sustain the allegation of mala fides against the Committee. It is true, and this is a rather disturbing feature of the present cases, that a large number of successful candidates succeeded in obtaining admission to the college by virtue of very high marks obtained by them at the viva voce examination tilted the balance in their favour, though the marks secured by them at the qualifying examination were much less than those obtained by the petitioners and even in the written test, they had fared much worse than the petitioners. It is clear from the chart submitted to us on behalf of the petitioners that the marks awarded at the interview are by and large in inverse proportion to the marks obtained by the candidates at the qualifying examination and are also, in a large number of cases, not commensurate with the marks obtained in the written test. The chart does create a strong suspicion in our mind that the marks awarded at the viva voce examination might have been manipulated with a view to favouring the candidates who ultimately came to be selected, but suspicion cannot take the place of proof and we cannot hold the plea of mala fides to be established. We need much more cogent material before we can hold that the Committee deliberately manipulated the marks at the viva voce examination with a view to favouring certain candidates as against the petitioners. We cannot, however, fail to mention that this is a matter which requires to be looked into very carefully and not only the State Government, but also the Central Government which is equally responsible for the proper running of the College, must take care to see that proper persons are appointed on the interviewing committee and there is no executive interference with their decision-making process. We may also caution the authorities that though, in the present case, for reasons which we have already given we are not interfering with the selection for the academic year 1979-80, the selections made for the subsequent academic years would run the risk of invalidation if such a high percentage of marks is allocated for the oral interview. We are of the view that, under the existing circumstances, allocation of more than 15 per cent of the total marks for the oral interview would be arbitrary and unreasonable and would be liable to be struck down as constitutionally invalid.

20. The petitioners, arguing under the last ground of challenge, urged that the oral interview as conducted in the present case was a mere pretence or farce, as it did not last for more than 2 or 3 minutes per candidate on an average and the questions which were asked were formal questions relating to parentage and residence of the candidate and hardly any question was asked which had relevance to assessment of the suitability of the candidate with reference to any of the four factors required to be considered by the Committee. When the time



spent on each candidate was not more than 2 or 3 minutes on an average, contended the petitioners, how could the suitability of the candidate be assessed on a consideration of the relevant factors by holding such an interview and how could the Committee possibly judge the merit of the candidate with reference to these factors when no questions bearing on these factors were asked to the candidate. Now there can be no doubt that if the interview did not take more than 2 or 3 minutes on an average and the questions asked had no bearing on the factors required to be taken into account, the oral interview test would be vitiated, because it would be impossible in such an interview to assess the merit of a candidate with reference to these factors. This allegation of the petitioners has been denied in the affidavit in reply filed by H.L. Chowdhury on behalf of the College and it has been stated that each candidate was interviewed for 6 to 8 minutes and “only the relevant questions on the aforesaid subjects were asked”. If this statement of H.L. Chowdhury is correct, we cannot find much fault with the oral interview test held by the Committee. But we do not think we can act on this statement made by H.L. Chowdhury, because there is nothing to show that he was present at the interviews and none of the three Committee members has come forward to make an affidavit denying the allegation of the petitioners and stating that each candidate was interviewed for 6 to 8 minutes and only the relevant questions were asked. We must therefore, proceed on the basis that the interview of each candidate did not last for more than 2 or 3 minutes on an average and hardly any questions were asked having bearing on the relevant factors. If that be so, the oral interview test must be held to be vitiated and the selection made on the basis of such test must be held to be arbitrary. We are, however, not inclined for reasons already given, to set aside the selection made for the academic year 1979-80, though we may caution the State Government and the Society that for the future academic years, selections may be made on the basis of observations made by us in this judgment lest they might run the risk of being struck down. We may point out that, in our opinion, if the marks allocated for the oral interview do not exceed 15 per cent of the total marks and the candidates are properly interviewed and relevant questions are asked with a view to assessing their suitability with reference to the factors required to be taken into consideration, the oral interview test would satisfy the criterion of reasonableness and non-arbitrariness. We think that it would also be desirable if the interview of the candidates is tape-recorded, for in that event there will be contemporaneous evidence to show what were the questions asked to the candidates by the interviewing committee and what were the answers given and that will eliminate a lot of unnecessary controversy besides acting as a check on the possible arbitrariness of the interviewing committee.”

Further reliance is placed on the order dated 05.12.2023 passed by the Apex Court in Civil Appeal No. 6353/2023 titled ***Aalma Vs Delhi High Court*** (Annexure P-6).

4. A bare perusal of decision of Apex Court in ***Ajay Hasia and others Vs Khalid Mujib Sehravardi and others*** (supra) reveals that the same



related to admission to professional course of Engineering and not Judicial Service.

5. As regards the order dated 05.12.2023 passed by the Apex Court in ***Aalma Vs Delhi High Court*** (supra), the Apex Court therein exercised its extra-ordinary jurisdiction under Article 142 of the Constitution of India to extend benefit to the appellant concerned.

6. This Court is also of the opinion that the petitioner entered the process of recruitment with open eyes and was well aware of the passing marks being 50 per cent aggregate of the written as well as viva-voce and, therefore, it cannot be said that the petitioner was taken by surprise or the rules of the game were changed after the game had begun. Thus, the principle of estoppel shall operate against an unsuccessful candidate.

6.1 In this regard, learned senior counsel for respondent No. 1 has relied upon a recent decision of Apex Court in ***Tajvir Singh Sodhi and others Vs State of Jammu and Kashmir and others***, 2023 SCC Online SC 344. The relevant paragraph 29 of the said decision is reproduced for ready reference and convenience:-

“29. It was averred that persons who participated in the selection process and interview cannot challenge the same upon being unsuccessful since they do not have a cause to challenge the same and a writ petition filed by them is not maintainable, vide Madan Lal; Anupal Singh v. State of Uttar Pradesh, (2020) 2 SCC 173; Sadananda Halo and Mohd. Mustafa. Reliance was also placed on D. Sarojakumari v. R. Helen Thilakom, (2017) 9 SCC 478. That in the present case, none of the writ petitioners was selected on merit and they were not even on the waiting list, therefore, the writ petitions filed by them were not maintainable on the ground of the same being devoid of any locus.”

7. So far as the expectation of a candidate is concerned, this Court has no manner of doubt that every candidate does his best, but that alone cannot be a good reason to interfere if a candidate fails to secure marks as per his or her expectations.



8. It was only because the petitioner secured 29.75 marks out of 200 marks in the viva-voce that relegated him below the 50 percent aggregate marks and, therefore, this Court is afraid that the petitioner cannot be helped.

9. Moreover, in matters of recruitment to services, interference to the process of recruitment when otherwise conducted in a transparent, fair and reasonable manner with no allegation of malafides cannot be gone into in the limited power of judicial review of this Court under Article 226 of the Constitution of India.

10. Recruitment to judicial service is not akin to recruitment to any civil post under the State or UOI. The unique nature of duties and powers attached to a judicial office compels the recruiting agency to adopt mode of selection which is understandably distinct. Emphasis upon viva-voce to a little more extent than other recruitments, is necessary to ensure, that persons of very high level of integrity, aptitude, character and merit, adorn the judicial offices. Whether a candidate has an aptitude, inclination and character to become a judge, cannot alone be determined by written test. Therefore, a little higher percentage of marks for viva-voce than 15% (as stipulated by Apex Court in **Ajay Hasia** [supra]) in recruitment to judicial offices is understandable. This Court is bolstered in its view by verdict of Apex Court in **Lila Dhar Vs State of Rajasthan and others** (1981) 4 Supreme Court Cases 159 relevant extracts of which are reproduced below:-

*“6. Thus, the written examination assesses the man's intellect and the interview test the man himself and “the twain shall meet” for a proper selection. If both written examination and interview test are to be essential features of proper selection, the question may arise as to the weight to be attached respectively to them. In the case of admission to a college, for instance, where the candidate's personality is yet to develop and it is too early to identify the personal qualities for which greater importance may have to be attached in later life, greater weight has per force to be given to performance in the written examination. The importance to be attached to the interview-test must be minimal. That was what was decided by this Court in **Periakaruppan v. State of Tamil Nadu** [(1971) 1 SCC 38 : (1971) 2 SCR 430] , **Ajay Hasia v. Khalid Mujib Sehravardi** [(1981) 1 SCC 722;*



1981 SCC (L&S) 258 : AIR 1981 SC 487] and other cases. On the other hand, in the case of services to which recruitment has necessarily to be made from persons of mature personality, interview test may be the only way, subject to basic and essential academic and professional requirements being satisfied. To subject such persons to a written examination may yield unfruitful and negative results, apart from its being an act of cruelty to those persons. There are, of course, many services to which recruitment is made from younger candidates whose personalities are on the threshold of development and who show signs of great promise, and the discerning may in an interview-test, catch a glimpse of the future personality. In the case of such services, where sound selection must combine academic ability with personality promise, some weight has to be given, though not much too great a weight, to the interview-test. There cannot be any rule of thumb regarding the precise weight to be given. It must vary from service to service according to the requirements of the service, the minimum qualifications prescribed, the age group from which the selection is to be made, the body to which the task of holding the interview-test is proposed to be entrusted and a host of other factors. It is a matter for determination by experts. It is a matter for research. It is not for courts to pronounce upon it unless exaggerated weight has been given with proven or obvious oblique motives. The Kothari Committee also suggested that in view of the obvious importance of the subject, it may be examined in detail by the Research Unit of the Union Public Service Commission.

7. In this background, let us now examine the situation presented by the Rajasthan Rules. The Rajasthan Judicial Service Rules have been made by the Governor of Rajasthan in consultation with the High Court of Rajasthan and the Rajasthan Public Service Commission. The High Court may be expected to know the precise requirements of the judicial service of the State and the calibre of the available source-material, while the Public Service Commission is an expert body thoroughly conversant with recruitment policies and selection methods. Both the High Court and the Public Service Commission are independent bodies, outside executive control, occupying special positions and enjoying special status under the Constitution. Neither is an outside agency. Both are well-acquainted with the particular needs of their State and the people. If the Governor, in consultation with the High Court and the Public Service Commission of the State makes rules stipulating seventy-five per cent of the marks for the written examination and twenty-five per cent for the interview-test, on what basis can a court say that twenty-five per cent for the interview-test is on the high side? It must not also be forgotten that the interview test is generally conducted and was, in the present case, conducted by a body consisting of a Judge of the High Court, the Chairman and a Member of the Public Service Commission and a special invitee expert. There can surely be no legitimate grievance or hint of arbitrariness against this body. Yet another factor worthy of consideration is that the candidates expected to offer themselves for selection are not raw graduates freshly out of college but are persons who have already received a certain amount of professional training. The source-material is such that some weightage must be given to the interview-test and can it possibly be said that twenty-five per cent of the total marks is an exaggerated weightage. We may add here that it has been made clear by the Chairman, Rajasthan Public Service Commission on



whose behalf a counter-affidavit has been filed before us that the marks obtained by the candidates at the written examination were not made available to the members of the Interview Board either before or at the time of the interview. We are unhesitatingly of the view that the selection cannot be struck down on the ground that more than due weightage was given to the interview-test.”

In *Abhimeet Sinha and others Vs High Court of Judicature at Patna and others* (2024) 7 Supreme Court Cases 262 it was held as under:-

“78. The recruitment procedure should not only test the candidate's intellect but also their personality, for appointment to posts in the higher judiciary. The writ petitioners have placed great reliance on the judgment in *Ajay Hasia* [*Ajay Hasia v. Khalid Mujib Sehravardi*, (1981) 1 SCC 722 : 1981 SCC (L&S) 258] wherein it is canvassed that providing for more than 15% of the total marks for interview, is arbitrary and constitutionally invalid. In *Ajay Hasia* [*Ajay Hasia v. Khalid Mujib Sehravardi*, (1981) 1 SCC 722 : 1981 SCC (L&S) 258] the challenge was to the validity of admissions made to the Regional Engineering College for the academic year 1979-1980. Out of 150 total marks, 50 marks were earmarked for interview. Commenting on the validity of viva voce as a permissible test, the Court observed thus : (SCC p. 743, para 18)

“18. ... But, despite all this criticism, the oral interview method continues to be very much in vogue as a supplementary test for assessing the suitability of candidates wherever test of personal traits is considered essential. Its relevance as a test for determining suitability based on personal characteristics has been recognised in a number of decisions of this Court which are binding upon us.”

79. x x x x x x x x x x

80. It was ultimately concluded that providing for as high a percentage as 33.5% for the interview segment, was infecting the admission procedure with the vice of arbitrariness. For the facts of the present case, the writ petitioners' contention on violation of the aforementioned dictum in *Ajay Hasia* [*Ajay Hasia v. Khalid Mujib Sehravardi*, (1981) 1 SCC 722 : 1981 SCC (L&S) 258] is adequately answered in *Lila Dhar* [*Lila Dhar v. State of Rajasthan*, (1981) 4 SCC 159 : 1981 SCC (L&S) 588] where the three-Judge Bench considered the issue of selection of Munsifs for Rajasthan Judicial Service. The selection was to be made through written examination as well as interview where 25% marks were earmarked for the viva voce segment. Distinguishing the judgment in *Ajay Hasia* [*Ajay Hasia v. Khalid Mujib Sehravardi*, (1981) 1 SCC 722 : 1981 SCC (L&S) 258] which was in the context of college admissions, the Court in *Lila Dhar* [*Lila Dhar v. State of Rajasthan*, (1981) 4 SCC 159 : 1981 SCC (L&S) 588] pertinently opined as under : (*Lila Dhar case* [*Lila Dhar v. State of Rajasthan*, (1981) 4 SCC 159 : 1981 SCC (L&S) 588] , SCC p. 167, para 9)

“9. ... The observations of the Court were made, primarily, in connection with the problem of admission to colleges, where, naturally, academic performance must be given prime importance. The words



“or even in the matter of public employment” occurring in the first extracted passage and the reference to the marks allocated for the interview test in the Indian Administrative Service examination were not intended to lay down any wide, general rule that the same principle that applied in the matter of admission to colleges also applied in the matter of recruitment to public services. The observation relating to public employment was per incuriam since the matter did not fall for the consideration of the Court in that case. Nor do we think that the Court intended any wide construction of their observation. As already observed by us the weight to be given to the interview-test should depend on the requirement of the service to which recruitment is made, the source material available for recruitment, the composition of the Interview Board and several like factors. Ordinarily recruitment to public services is regulated by rules made under the proviso to Article 309 of the Constitution and we would be usurping a function which is not ours, if we try to redetermine the appropriate method of selection and the relative weight to be attached to the various tests.”

81. The above opinion in Lila Dhar [Lila Dhar v. State of Rajasthan, (1981) 4 SCC 159 : 1981 SCC (L&S) 588] makes it clear that the ratio in Ajay Hasia [Ajay Hasia v. Khalid Mujib Sehravardi, (1981) 1 SCC 722 : 1981 SCC (L&S) 258] , in the context of college admission, may not have much bearing on recruitment for judicial vacancies where oral interviews play an important role to test the personality and calibre of the aspirant to judicial posts.”

11. In light of the above, the inference to be drawn is that it is valid to exceed the 15% limit for viva-voce as the broader purpose of evaluating candidate’s suitability for judicial position requires a more nuanced approach. Thus, adhering strictly to the 15% cap is not obligatory in such cases.

12. In view of the above, this Court sees no reason to take cognizance of the cause raised herein and, therefore, the petition at the very outset is dismissed sans cost.

(SHEEL NAGU)
CHIEF JUSTICE

(SUDHIR SINGH)
JUDGE

09.01.2025
Amodh Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No